

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK**

TOYA WOULLARD,

Plaintiff,

Case No. []

v.

NOTICE OF REMOVAL

BARCLAYS BANK DELAWARE, CELTIC
BANK, CITIBANK, N.A., U.S. BANKCORP;
and EQUIFAX INFORMATION SERVICES,
LLC,

Defendants.

Pursuant to 28 U.S.C. §§ 1331, 1441(b), and 1446, defendant Citibank, N.A. (“Citibank”), by and through the undersigned counsel, hereby removes this action to the United States District Court for the Eastern District of New York. In support, Citibank states as follows:

BACKGROUND

1. On March 11, 2025, plaintiff Toya Woullard (“Plaintiff”) filed a Summons with Complaint (“Complaint”) against Citibank and other defendants in the Supreme Court of the State of New York, County of Kings, Index No. 508293/2025 (“State Court Action”). *See* Complaint, attached as Ex. A.

2. Plaintiff has not filed an affirmation of service stating that Citibank, or any other defendant, has been served a copy of the Complaint.

3. Counsel for U.S. Bank, N.A. (erroneously sued as U.S. Bankcorp) filed a notice of appearance on March 21, 2025. *See* Notice of Appearance, attached as Ex. B. The Complaint and notice of appearance constitute all process, pleadings and orders filed in the State Court Action.

4. Citibank has not yet served an answer or other response to the Complaint.

5. By filing this notice of removal, Citibank does not waive any claim, counterclaim, or defense that may be available to it, including, but not limited to lack of personal jurisdiction, improper venue, failure to state a claim upon which relief may be granted, and that the card agreement(s) governing the parties' relationship requires that this suit be filed in arbitration.

BASIS FOR REMOVAL

Federal Question Jurisdiction

6. Removal of this matter is proper under 28 U.S.C. § 1331, which provides that federal courts shall have "original jurisdiction of all civil actions arising under the Constitution, laws, or treaties of the United States," because Plaintiff asserts in her Complaint claims arising out of federal law, namely, the Fair Credit Reporting Act, 15 U.S.C. § 1681 ("FCRA").

Venue

7. Venue is proper in this Court pursuant to 28 U.S.C. §§ 1391(b) and 1441(a), because the United States District Court for the Eastern District of New York is the federal court embracing the Supreme Court of the State of New York, County of Kings, where Plaintiff originally filed the State Court Action.

Procedure

8. This Notice of Removal is timely. Citibank acknowledged service as of March 14, 2025, and therefore, Citibank has until April 11, 2025, to remove the case to this Court. *See* 28 U.S.C. § 1446(b)(1).

9. U.S. Bank, N.A. is the only party that has made an appearance in this case, and U.S. Bank, N.A.'s counsel has consented to Citibank's removal of this case to federal court. Therefore, Citibank submits that all parties who have "been properly joined and served" consent to removal. *See* 28 U.S.C. § 1446(b)(2)(A).

10. As required by 28 U.S.C. § 1446(d), Citibank is serving a copy of this Notice of Removal on Plaintiff and filing a copy of this Notice of Removal with the Clerk of the Court for the Supreme Court of the State of New York, County of Kings. See Notice of Filing (exhibits omitted), attached as Ex. C.

CONCLUSION

WHEREFORE, Citibank hereby removes the above-captioned action now pending in the Supreme Court of the State of New York, County of Kings, to the United States District Court for the Eastern District of New York and requests that this Court assume full jurisdiction over this action as provided by law.

Dated: April 9, 2025

Respectfully submitted,

By: /s/Lauren N. Brown
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*Attorneys for Defendant
Citibank, N.A.*

CERTIFICATE OF SERVICE

I hereby certify that I caused a copy of the foregoing Notice of Removal to be served by electronic filing by NYSCEF and by email upon the Plaintiff and counsel for U.S. Bank, N.A. in the State Court Action as follows:

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Dated: April 9, 2025

Lauren N. Brown

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